# Revenue Distribution Breakout Session "Hands On"

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## Training Goals

1. Provide information on concepts and terms related to revenue distribution
2. Research resources for required distributions and applicable fees/penalties
3. Perform distribution calculations on worksheets
   - Work through case studies of common distributions.
   - Change information on the cases to see their effect on the distributions.

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## Sample Distributions

| | |
|---|---|
| **Basic Distributions** | • Speeding violation<br>• *Added prior violation* |
| **Regular Traffic School** | • Speeding violation |
| **Special Base Fine**<br>**Multiple Violation** | • DUI violation<br>• *Added failure to stop at stop sign violation* |
| **Red Light Bail Forfeiture**<br>**Red Light Traffic School** | • Red light violation |
| **Health & Safety Code Violation** | • Possession with intent to sell (cannabis) |
| **Top–Down Methods 1 & 2** | • Speeding |

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# BASIC CONCEPTS AND TERMS

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## Standard Criminal/Traffic Fine Equation

Base Fine + Base Fine Enhancements
=
**Total Base Fine**
+
State and Local Penalties
=
**Initial Penalty**
+
Surcharge, Fees, and Assessments
=
**Total Bail or Fine**

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## Base Fine

- The amount from which the additional penalties and surcharge required by Penal Code § 1465.7 are calculated.
- Total bail shall not exceed statutory limits and minimum statutory amounts must be imposed.
- The 'fine' amount of the total bail shall not exceed the limitations specified by statute.

Uniform Bail & Penalty Schedules, Section IV, pg. vii

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## Countywide Bail Schedules

The Council is not the only entity required to publish a bail schedule. Each individual court is required to prepare, adopt and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses, except Vehicle Code infractions. Thus, while the Council is required to publish the traffic infraction schedule, the counties are responsible for all others.

Rule 4.102 additionally requires that, when performing those duties, counties "give consideration to the (UB&PS) approved by the Judicial Council." After adopting their countywide bail schedule, courts must send a copy of their countywide schedule to the Council "with a report stating how the revised schedule differs from the (UB&PS)."

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## Base Fine Enhancements

- **Enhancement for Prior Vehicle Code (VC) Convictions**
  UB&PS section VII, pg. viii
  - $10 may be added to the base fine for each "prior" conviction within 36 months of the new offense. Both the current and "prior" offense must be a moving violation where a "point" was assigned per VC § 12810 or VC § 12810.2. The $10 prior enhancements are assessed for each prior violation on a single count (assessed only once per case). Prior enhancements do not apply to traffic school cases.
    (Distinguished from VC § 40508.6)
- **Health & Safety Code (H&S) § 11372.5** - Criminal Lab Fee
  Trial Court Revenue Distribution Guidelines (*Guidelines*)
  - Base fine enhancement of $50 for each violation of the H&S code under subdivision (b).
- **H&S § 11372.7 - County Drug Program Fee** *Guidelines*
  - Base fine enhancement of up to $150 for each violation of the H&S sections 11350 through 11392 except H&S § 11357(b).

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## 2% State Court Automation

- Government Code § 68090.8 - 2% State Court Automation *Guidelines*
  - Transferred from all fines, penalties, and forfeitures (not on surcharges or fees) collected in criminal cases.
  - So, referring to our equation, 2% applies to the:
    - Base fine
    - Base fine enhancement
    - State and local penalties

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## State Surcharge

- PC § 1465.7 – 20% State Surcharge *Guidelines*
  - 20% state surcharge is calculated on total **base fines.**
  - The state surcharge is **NOT** calculated on State and local penalties (PC § 1464, GC § 70372, and GC § 76000.)
  - The GC § 68090.8 2% state court automation is **NOT** applicable to the state surcharge.

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## State and Local Penalties

- These penalties are calculated using the "Per 10, or part of 10" factor from a **ROUNDED UP** base fine.
- State and Local Penalties UB&PS Section III A, pg. iii
  - PC § 1464 State penalty = $10 per 10
  - GC § 76104.6 County DNA Identification Fund penalty = $1 per 10
  - GC § 76104.7 state DNA Identification Fund additional penalty = $4 per 10
  - GC § 70372(a) state court facilities construction penalty = $5 per 10
  - GC § 76000(a) county penalty *per board of supervisors' resolution* = up to $7 per 10
  - GC § 76000.5 emergency medical services (EMS) additional penalty *per board of supervisors' resolution* = $2 per 10

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## Board of Supervisors Resolution

- Is there a list of assessments requiring a BOS resolution?
- If I do not have one, should I assess?
- How to obtain a BOS Resolution

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## State and Local Penalties

- PC § 1464 - State Penalty *Guidelines*
  - A penalty of $10 per $10 (or part of $10) upon every fine, penalty, or forfeiture imposed - 70% goes to the State and 30% goes to the County.
- GC § 76000 (a) & (e) - County Penalties *Guidelines*
  - A penalty of up to $7 per $10 (or part of $10) upon every fine, penalty, or forfeiture imposed (BOS).
  - Board resolution specifies distribution to the following local funds:
    GC § 76100 Courthouse Construction Fund;
    GC § 76101 Criminal Justice Facilities Fund;
    GC § 76102 Auto Fingerprint ID Fund;
    GC § 76103 Forensic Lab Fund;
    GC § 76104 EMS Fund;
    GC § 76104.5 DNA ID Fund; and/or
    GC § 76105 Special Purpose Fund.
  - If responsibility for facilities transferred to State and **NO** bonded indebtedness remains, the additional penalty follows GC § 76000(e).

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## Transfer/ No Bonded Indebtedness

- Bonded Indebtedness – this is a debt that is secured by an issued bond with the monies received to be used to pay for Court Facilities.
- If the responsibility for one or more facilities has not transferred to the state, the revenues collected in the County's Courthouse Construction Funds will shift proportionally based on the square footage of the space that the County has transferred to the State.
  - For Example: if 75% of the County's Court Facility space transfers to the state and the revenues is not tied to bonded indebtedness on any of the Court Facilities, then 75% of the local courthouse construction fund would also transfer to the state.
- When this occurs, this affects how funds are collected under GC § 76000(a) or GC § 76000(e).

Additional Information can be found under GC § 70375.

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## Additional Penalties

- GC § 76104.6 - DNA Identification Penalty *Guidelines*
  - Additional penalty of $1 per $10 (or part of $10) for every fine, penalty, or forfeiture imposed.
  - Assessed on all criminal offenses.
  - County transfers 25% to State each quarter.
- GC § 76104.7 - DNA Identification Penalty *Guidelines*
  - Additional penalty of $4 per $10 (or part of $10) for every fine, penalty, or forfeiture imposed.
  - Assessed on all criminal offenses (for violations after June 27, 2012.)
  - County to transfer 100% to State.

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## Additional Penalties

- GC § 70372 (a) - Court Construction Penalty *Guidelines*
  - Additional penalty of $5 per 10 (or part of $10) upon every fine, penalty, or forfeiture imposed.
  - Distributed to the State CFCF.
- GC § 76000.5 - Emergency Medical Services (EMS) *Guidelines*
  - Additional penalty assessment of $2 per 10 (or part of $10) of the base fine (board of supervisors' resolution).
  - Distributed to the County Maddy EMS Fund

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## Additional Penalties

- GC § 76000.10(c)(1) $4 EMAT Penalty

  UB&PS Section III F, pg.iv and *Guidelines*

  - A $4 penalty for emergency medical air transportation services (EMAT) is imposed for every Vehicle Code conviction, or a local ordinance adopted under the Vehicle Code, committed on or after January 1, 2011.
  - Distributed to the State EMAT Fund

  *As the law stands today, imposition of EMAT penalty ended December 31, 2022, and collection of EMAT penalty will end December 31, 2023.*

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## Fees and Assessments

- PC § 1465.8 – Court Operations Assessment *Guidelines*
  - $40 assessed on every conviction for a criminal offense, including a traffic offense, except parking offenses as defined in subdivision (i) of Penal Code section 1463.
  - "Conviction" includes the confidential conviction of a traffic violation on the condition that the defendant attend a court-ordered traffic violator school.
  - 100% distribution to State TCTF.
- GC § 70373 – Criminal Conviction Assessment *Guidelines*
  - $30 assessed for each *felony/misdemeanor* conviction, **or**
  - $35 assessed for each *infraction* conviction (including confidential conviction for completion of traffic school.)
  - 100% distribution to State CFCF

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## Fees and Assessments

- VC § 42006 -Night Court Special Assessment *Guidelines*
  - Vehicle Code or local ordinance adopted where the court conducts night or weekend court sessions for traffic offenses.
  - Court may levy a $1 special assessment per fine, forfeiture, and traffic violator school fee imposed.
  - When facilities have transferred w/o bonded indebtedness, the $1 special assessment goes to the State.
  - Non-parking violations

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## Recap of the Standard Criminal/Traffic Fine Equation/Formula

Base Fine + Base Fine Enhancements
=
**Total Base Fine**
+
State and Local Penalties
=
**Initial Penalty**
+
Surcharge, Fees, and Assessments
=
**Total Bail or Fine**

20

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## Poll # 1

Which of these penalties and assessments is NOT added to the base fine?

A. State penalty
B. Court construction penalty
C. 2% automation assessment
D. 20% state surcharge
E. All are added to the base fine

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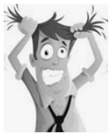
How complex do you find revenue distribution?
1 to 5…



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## Preparing for Distributions

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## Preparing for Distributions

1. **Gather case information:**
   - Codes violated
   - Violation date and conviction date
   - Disposition on each count (conviction, traffic school)
   - Arresting agency (county, city, CHP)
   - Prior violations
   - Base fine and enhancements *(how much was assessed)*
2. **Obtain County Board of Supervisors' resolutions**
3. **Determine other factors**

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## Gathering Case Information

**Case Information**:

- Violation Date = 9/16/2022
- Disposition Date = 11/21/2022
- Arresting Agency = Coronado Police Department
  *% Split between County and City (Refer to PC § 1463.002)*
- Violation = VC § 22349(b); 1-15 MPH Over 55 MPH Limit
- Violation Type = Infraction
- Disposition = Bail Forfeiture

**Local County BOS Penalties:**

- LCCF = $2
- LCJF = $2
- EMS = $1.50
- DNA = $.50
- Auto Fingerprint = $1
- Additional EMS = $2
- EMAT Fee GC § 76000.10(c) = $4

**Court Fees:**

- PC § 1465.8 – Court Ops Assessment = $40
- GC § 70373 – Criminal Conviction Assessment = $35
- Night Court Fee = $1

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[redacted]

DISTRIBUTION WORKSHEETS

**RESOURCES** TC-81

CONDENT

Breakout Session B
Case studies/worksheets

FAQs

**PowerPoint Presentations**

**Resources & Links**

CROSSWALK

**Uniform Bail & Penalty Schedules**

JCC, SCO and FTB staff

**http://www.courts.ca.gov/revenue-distribution.htm**

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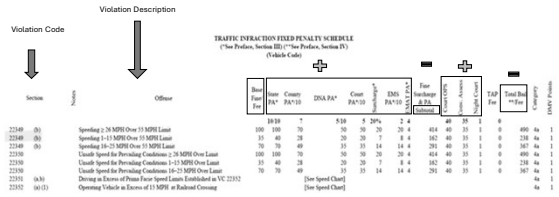
# Uniform Bail & Penalty Schedule




| | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | 10 | 10 | 7 | | 5 | 10 | 5 | 20% | 2 | 4 | | 40 | 35 | 1 | 0 | | | |
| 22349 | (b) | Speeding 1-15 MPH Over 55 MPH Limit | 100 | 100 | 70 | | 50 | 50 | 20 | 20 | 4 | 414 | 40 | 35 | 1 | 0 | 490 | 4a | 1 |
| 22349 | (b) | Speeding 1-15 MPH Over 55 MPH Limit | 35 | 40 | 28 | | 20 | 20 | 7 | 8 | 4 | 162 | 40 | 35 | 1 | 0 | 238 | 4a | 1 |
| 22349 | (b) | Speeding 16-25 MPH Over 55 MPH Limit | 70 | 70 | 49 | | 35 | 35 | 14 | 14 | 4 | 291 | 40 | 35 | 1 | 0 | 367 | 4a | 1 |
| 22350 | | Unsafe Speed for Prevailing Conditions ≥ 26 MPH Over Limit | 100 | 100 | 70 | | 50 | 50 | 20 | 20 | 4 | 414 | 40 | 35 | 1 | 0 | 490 | 4a | 1 |
| 22350 | | Unsafe Speed for Prevailing Conditions 1-15 MPH Over Limit | 35 | 40 | 28 | | 20 | 20 | 7 | 8 | 4 | 162 | 40 | 35 | 1 | 0 | 238 | 4a | 1 |
| 22350 | | Unsafe Speed for Prevailing Conditions 16-25 MPH Over Limit | 70 | 70 | 49 | | 35 | 35 | 14 | 14 | 4 | 291 | 40 | 35 | 1 | 0 | 367 | 4a | 1 |
| 22351 | (a,b) | Driving in Excess of Prima Facie Speed Limits Established in VC 22352 | | | | [See Speed Chart] | | | | | | | | | | | | 4a | 1 |
| 22352 | (a) (1) | Operating Vehicle in Excess of 15 MPH at Railroad Crossing | | | | [See Speed Chart] | | | | | | | | | | | | 4a | 1 |

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# Guidelines



Table 1 — General Distribution of Fines and Forfeitures under PEN 1463.001

All criminal fines and forfeitures (except parking) without a specific distribution in statute are distributed pursuant to PEN 1463.001. Be advised that most statutes do not designate a specific distribution and are not separately listed in the Guidelines.

As stated in PEN 1463(i), "total fine or forfeiture" for purposes of distribution under PEN 1463.001 includes "the total amount of bail forfeited or deposited as cash bail subject to forfeiture."

The special distribution for bail increases, pursuant to PEN 1463.28, applies to city arrest violations, but does not apply to county arrest violations within the specified counties.

The California Attorney General's Office has clarified that changes in PEN 1214 do not allow a county to charge interest on delinquent and/or unpaid fines. In *People v. Sutter Street Ry. Co*, 129 Cal. 545 (1900), the California Supreme Court held that interest was not allowed because the fine was for the purpose of punishment rather than for compensating for loss or damage. Furthermore, the absence of a specific distribution for interest indicates that the Legislature did not intend criminal judgment fines to bear interest.

The following apply to the fines and forfeitures in Table 1:

- State and local penalties;
- 2% deposit for automation; and
- State surcharge.

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# Guidelines



Table 2
Special Distributions of Fines and Forfeitures Preceding PEN 1463.001 Distribution

| Code Section | Violation | Distribution From | Distribution To | Fund Use/Special Provision | Priority of Installment Payments |
|---|---|---|---|---|---|
| PEN 1463.14(a) — Lab Fines for Convictions of Driving Under the Influence or Reckless Driving *(collected as a fine, distributed as a fee)* | DUI Under: VEH 23152, VEH 23153. | $50 of each base fine collected. If the account becomes exhausted, the public entity ordering a test performed shall bear the costs of the test. | County special account. | To pay for the cost of performing analysis of blood, breath, or urine for alcohol content or for the presence of drugs; for criminalistics lab services related to such testing. | 3 |
| | Reckless Driving Under: VEH 23103, VEH 23104, VEH 23105. | FUNDS NOT EXPENDED: Special account funds collected in the preceding fiscal year and not expended by November 1. | County General Fund in an amount equal to administrative costs. | To reimburse the County for administrative costs incurred to implement PEN 1463.14. | |
| | | | Remainder to the City or County pursuant to PEN 1463.001. | See PEN 1463.001 (Table 1). | |

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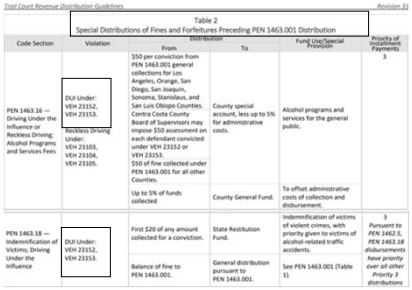
# Guidelines (cont'd)



Trial Court Revenue Distribution Guidelines — Revision 31

Table 2
Special Distributions of Fines and Forfeitures Preceding PEN 1463.001 Distribution

| Code Section | Violation | Distribution From | Distribution To | Fund Use/Special Provision | Priority of Installment Payments |
|---|---|---|---|---|---|
| PEN 1463.16 — Driving Under the Influence or Reckless Driving; Alcohol Programs and Services Fees | DUI Under: VEN 23152, VEN 23153.<br>Reckless Driving Under: VEN 23103, VEN 23104, VEN 23105. | $50 per conviction from PEN 1463.001 general collections for Los Angeles, Orange, San Diego, San Joaquin, Sonoma, Stanislaus, and San Luis Obispo Counties. Contra Costa County Board of Supervisors may impose $50 assessment on each defendant convicted under VEN 23152 or VEN 23153. $50 of fine collected under PEN 1463.001 for all other Counties. | County special account, less up to 5% for administrative costs. | Alcohol programs and services for the general public. | 3 |
| | | Up to 5% of funds collected | County General Fund. | To offset administrative costs of collection and disbursement. | |
| PEN 1463.18 — Indemnification of Victims; Driving Under the Influence | DUI Under: VEN 23152, VEN 23153. | First $20 of any amount collected for a conviction. | State Restitution Fund. | Indemnification of victims of violent crimes, with priority given to victims of alcohol-related traffic accidents. | 3<br>*Pursuant to PEN 1462.5, PEN 1463.18 disbursements have priority over all other Priority 3 distributions* |
| | | Balance of fine to PEN 1463.001. | General distribution pursuant to PEN 1463.001. | See PEN 1463.001 (Table 1). | |

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# Leg Info

California. LEGISLATIVE INFORMATION

Code Search | Text Search

PENAL CODE - PEN

PART 2. OF CRIMINAL PROCEDURE [691 - 1620]

TITLE 11. PROCEEDINGS IN MISDEMEANOR AND INFRACTION CASES AND APPEALS FROM SUCH CASES [1427 - 1471]

CHAPTER 1. Proceedings in Misdemeanor and Infraction Cases [1427 - 1468.8]

1463.14. (a) Notwithstanding the provisions of Section 1463, of the moneys deposited with the county treasurer pursuant to Section 1463, fifty dollars ($50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited in a special account that shall be used exclusively to pay for the cost of performing for the county, or a city or special district within the county, analysis of blood, breath or urine for alcohol content or for the presence of drugs, or for services related to that testing. The sum shall not exceed the reasonable cost of providing the services for which the sum is intended.

On November 1 of each year, the treasurer of each county shall determine those moneys in the special account that were not expended during the preceding fiscal year, and shall transfer those moneys into the general fund of the county. The board of supervisors may, by resolution, assign the treasurer's duty to determine the amount of money that was not expended to the auditor or another county officer. The county may retain an amount of that money equal to its administrative cost incurred pursuant to this section, and shall distribute the remainder pursuant to Section 1463. If the account becomes exhausted, the public entity ordering a test performed pursuant to this subdivision shall bear the costs of the test.

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# LegInfo (cont'd)

**PC § 1463.14.** (a) Notwithstanding the provisions of Section 1463, of the moneys deposited with the county treasurer pursuant to Section 1463, fifty dollars ($50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited in a special account that shall be used exclusively to pay for the cost of performing for the county, or a city or special district within the county, analysis of blood, breath or urine for alcohol content or for the presence of drugs, or for services related to that testing.

**PC § 1463.16(a).** Notwithstanding Section 1203.1 or 1463, fifty dollars ($50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited with the county treasurer in a special account for exclusive allocation by the county for the county's alcoholism program, with approval of the board of supervisors, for alcohol programs and services for the general population.

**PC § 1463.18(a).** Notwithstanding the provisions of Section 1463, moneys which are collected for a conviction of a violation of Section 23152 or 23153 of the Vehicle Code, and which are required to be deposited with the county treasurer pursuant to Section 1463 shall be allocated as follows: (1) The first twenty dollars ($20) of any amount collected for a conviction shall be transferred to the Restitution Fund. This amount shall be aggregated by the county treasurer and transferred to the State Treasury once per month for deposit in the Restitution Fund.

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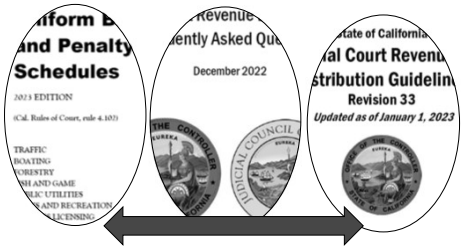
## How does the Crosswalk work?

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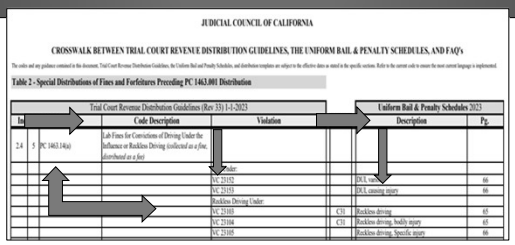

JUDICIAL COUNCIL OF CALIFORNIA

CROSSWALK BETWEEN TRIAL COURT REVENUE DISTRIBUTION GUIDELINES, THE UNIFORM BAIL & PENALTY SCHEDULES, AND FAQ's

Table 2 - Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution

| Trial Court Revenue Distribution Guidelines (Rev 33) 1-1-2023 | | | | | | Uniform Bail & Penalty Schedules 2023 | |
|---|---|---|---|---|---|---|---|
| In | | Code Description | Violation | | | Description | Pg. |
| 2.4 | 5 | PC 1463.14(a) | Lab Fines for Convictions of Driving Under the Influence or Reckless Driving (collected as a fine, distributed as a fee) | | | | |
| | | | Under: | | | | |
| | | | VC 23152 | | | DUI, refer | 66 |
| | | | VC 23153 | | | DUI, causing injury | 66 |
| | | | Reckless Driving Under: | | | | |
| | | | VC 23103 | | CH | Reckless driving | 65 |
| | | | VC 23104 | | CH | Reckless driving, bodily injury | 65 |
| | | | VC 23105 | | | Reckless driving, Specific injury | 66 |

www.courts.ca.gov/revenue-distribution.htm

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## FAQ Search: DUI

| | | | | | |
|---|---|---|---|---|---|
| C | 31 | DUI Assessments | May 12, 2015 | Q | Should fees per Penal Code (PC) section 1463.14(a) and PC section 1463.16 be assessed on all violations of Vehicle Code (VC) sections 23103 and 23104? If so, when? |
| | | | | A | Yes, both fees should be assessed upon conviction of a violation of VC sections 23103 and 23104; and $50 of each fine collected should be deposited for alcoholism program and services. |

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# Distribution Spreadsheets

**Disclaimer: All spreadsheets have been updated to reflect what we believe are the statutes in effect as of TODAY. Thus, they are subject to change based on laws that are effective after today's training. These spreadsheets are used for testing and review and not configuration work.**

**Be sure the fines, penalties, and fees reflect the statutes in effect for the period reviewed.**

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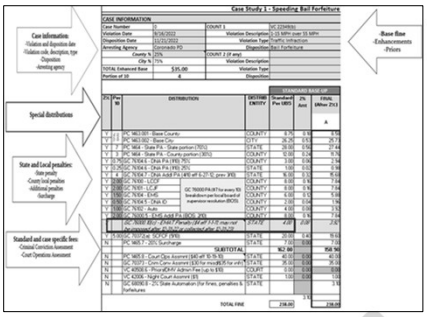


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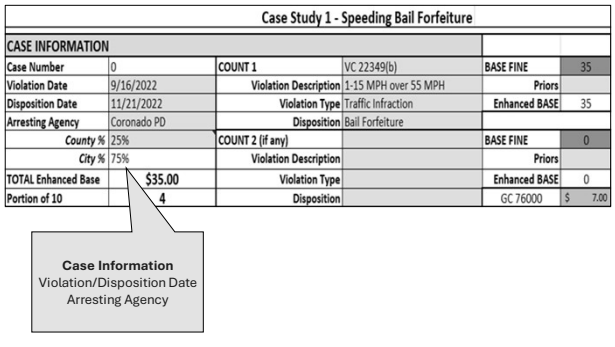


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## County and City % Split Information (Refer to PC § 1463.002) *Continued*

| San Diego | |
|---|---|
| Carlsbad ..... | 8 |
| Chula Vista ..... | 23 |
| **Coronado .....** | **25** |
| Del Mar ..... | 8 |
| El Cajon ..... | 17 |
| Escondido ..... | 16 |
| Imperial Beach ..... | 8 |
| La Mesa ..... | 23 |
| Lemon Grove ..... | 8 |
| National City ..... | 14 |
| Oceanside ..... | 15 |
| San Marcos ..... | 8 |
| Vista ..... | 8 |
| San Diego ..... | 6 |
| County percentage ..... | 25 |

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## County and City % Split Information (Refer to PC § 1463.002) Applied

| CASE INFORMATION | |
|---|---|
| **Case Number** | 0 |
| **Violation Date** | 9/16/2022 |
| **Disposition Date** | 11/21/2022 |
| **Arresting Agency** | Coronado PD |
| ***County %*** | 25% |
| ***City %*** | 75% |

**Enter the Percentage identified into the County Line*

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## Poll # 2

The base fine is <u>always</u> distributed 100% to the county.

- ❑ **True**
- ❑ **False**

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| Case Study 1 - Speeding Bail Forfeiture | | | | | |
|---|---|---|---|---|---|
| **CASE INFORMATION** | | | | | |
| Case Number | 0 | COUNT 1 | VC 22349(b) | BASE FINE | 35 |
| Violation Date | 9/16/2022 | Violation Description | 1-15 MPH over 55 MPH | Priors | |
| Disposition Date | 11/21/2022 | Violation Type | Traffic Infraction | Enhanced BASE | 35 |
| Arresting Agency | Coronado PD | Disposition | Bail Forfeiture | | |
| *County %* | 25% | COUNT 2 (if any) | | FINE | 0 |
| *City %* | 75% | Violation Description | | Priors | |
| TOTAL Enhanced Base | $35.00 | Violation Type | | Enhanced BASE | 0 |
| Portion of 10 | 4 | Disposition | | GC 76000 | $ 7.00 |

**Base fine**
Bail amount from UB&PS Enhancements

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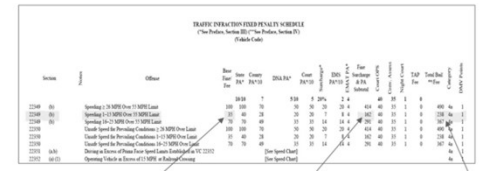
## Case Study #1: Speeding. 2022 UB&PS




Base fine used in worksheet to calculate additional penalties and surcharges.

Subtotal includes base fine plus state and local penalty assessments, and surcharge.

Total includes Court Operations, Criminal Conviction, and Night Court Assessments.

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## Base Fine and Enhancements

**Enter Violation Information Here**

**Enter Base Fine Here**

| Case Study 1 - Speeding Bail Forfeiture | | | |
|---|---|---|---|
| | | | |
| COUNT 1 | VC 22349(b) | BASE FINE | 35 |
| Violation Description | 1-15 MPH over 55 MPH | Priors | |
| Violation Type | Traffic Infraction | Enhanced BASE | 35 |
| Disposition | Bail Forfeiture | | |
| COUNT 2 (if any) | | BASE FINE | 0 |
| Violation Description | | Priors | |
| Violation Type | | Enhanced BASE | 0 |
| Disposition | | GC 76000 | $ 7.00 |

**Enter Priors Here**

45

**State and Local Penalties**
State
Local
Additional EMS
SCFCF

| ZSC | Per 10 | DISTRIBUTION | DISTRIB ENTITY | STANDARD BASE-UP Standard Per UBS | 2% Amt | FINAL (After ZSC) A |
|---|---|---|---|---|---|---|
| Y | 8.75 | PC 1463.001 - Base County | COUNTY | 8.75 | 0.18 | 8.93 |
| Y | 26.25 | PC 1463.002 - Base City | CITY | 26.25 | 0.53 | 25.73 |
| Y | 7 | PC 1464 - State PA - State portion (70%) | STATE | 28.00 | 0.56 | 27.44 |
| Y | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 12.00 | 0.24 | 11.76 |
| Y | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 3.00 | 0.06 | 2.94 |
| Y | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 1.00 | 0.02 | 0.98 |
| Y | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12, prev 3/10) | STATE | 16.00 | 0.32 | 15.68 |
| Y | 2.00 | GC 76100 - LCCF | COUNTY | 8.00 | 0.16 | 7.84 |
| Y | 2.00 | GC 76101 - LCJF | COUNTY | 8.00 | 0.16 | 7.84 |
| Y | 1.50 | GC 76104 - EMS | COUNTY | 6.00 | 0.12 | 5.88 |
| Y | 0.50 | GC 76104.5 - DNA ID | COUNTY | 2.00 | 0.04 | 1.96 |
| Y | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 4.00 | 0.08 | 3.92 |
| Y | 2.00 | GC 76000.5 - EMS Addl PA (BOS: 2/10) | COUNTY | 8.00 | 0.16 | 7.84 |
| *Y* | | ***GC 76000.10(c) - EMAT Penalty [$4 eff 1-1-11; may not be imposed after 12-31-22 or collected after 12-31-23]*** | ***STATE*** | ***4.00*** | ***0.08*** | ***3.92*** |
| Y | 5.00 | GC 70372(a): SCFCF ($/$10) | STATE | 20.00 | 0.40 | 19.60 |
| N | | PC 1465.7 - 20% Surcharge | STATE | 7.00 | 0.00 | 7.00 |
| | | SUBTOTAL | | 162.00 | | 158.90 |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 0.00 | 40.00 |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | 0.00 | 35.00 |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | 0.00 | 0.00 | 0.00 |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 0.00 | 1.00 |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures | STATE | | | 3.10 |
| | | TOTAL FINE | | 238.00 | 3.10 | 238.00 |

GC 76000 PA ($7 for every $10 breakdown per local board of supervisor resolution (BOS)).

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## Local Penalty: Select County

| | A | B |
|---|---|---|
| 1 | Please choose the county: | San Diego |
| 2 | | |
| 3 | Test for Local Penalties | |
| 4 | | |
| 5 | Has the county transferred responsibility for court facilities to the State? | Yes |
| 6 | Has county paid off all indebtedness for court facilities? | Yes |
| 7 | | |
| 8 | **GC 76000 Local Penalties for San Diego County** | **$ 7.00** |
| 9 | | |
| 10 | County | GC 76000 (a) |
| 11 | Riverside | $4.60 |
| 12 | Sacramento | $5.00 |
| 13 | San Benito | $5.00 |
| 14 | San Bernardino | $5.00 |
| 15 | **San Diego** | **$7.00** |
| 16 | San Francisco | $6.99 |
| 17 | San Joaquin | $3.75 |
| 18 | San Luis Obispo | $5.00 |
| 19 | San Mateo | $4.75 |
| 20 | Santa Barbara | $3.50 |
| 21 | Santa Clara | $5.50 |
| 22 | Santa Cruz | $7.00 |
| 23 | Shasta | $3.50 |

Local Penalties | Case 1 Speeding | Case 1.2 Speeding w Prior

Select the County from Drop-down List

47

**Standard and Court-specific Fees**
20% Surcharge
Court Operations Assessment
Criminal Conviction Assessment

| ZSC | Per 10 | DISTRIBUTION | DISTRIB ENTITY | STANDARD BASE-UP Standard Per UBS | 2% Amt | FINAL (After ZSC) A |
|---|---|---|---|---|---|---|
| Y | 8.75 | PC 1463.001 - Base County | COUNTY | 8.75 | 0.18 | 8.93 |
| Y | 26.25 | PC 1463.002 - Base City | CITY | 26.25 | 0.53 | 25.73 |
| Y | 7 | PC 1464 - State PA - State portion (70%) | STATE | 28.00 | 0.56 | 27.44 |
| Y | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 12.00 | 0.24 | 11.76 |
| Y | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 3.00 | 0.06 | 2.94 |
| Y | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 1.00 | 0.02 | 0.98 |
| Y | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12, prev 3/10) | STATE | 16.00 | 0.32 | 15.68 |
| Y | 2.00 | GC 76100 - LCCF | COUNTY | 8.00 | 0.16 | 7.84 |
| Y | 2.00 | GC 76101 - LCJF | COUNTY | 8.00 | 0.16 | 7.84 |
| Y | 1.50 | GC 76104 - EMS | COUNTY | 6.00 | 0.12 | 5.88 |
| Y | 0.50 | GC 76104.5 - DNA ID | COUNTY | 2.00 | 0.04 | 1.96 |
| Y | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 4.00 | 0.08 | 3.92 |
| Y | 2.00 | GC 76000.5 - EMS Addl PA (BOS: 2/10) | COUNTY | 8.00 | 0.16 | 7.84 |
| *Y* | | ***GC 76000.10(c) - EMAT Penalty [$4 eff 1-1-11; may not be imposed after 12-31-22 or collected after 12-31-23]*** | ***STATE*** | ***4.00*** | ***0.08*** | ***3.92*** |
| Y | 5.00 | GC 70372(a): SCFCF ($/$10) | STATE | 20.00 | 0.40 | 19.60 |
| N | | PC 1465.7 - 20% Surcharge | STATE | 7.00 | 0.00 | 7.00 |
| | | SUBTOTAL | | 162.00 | | 158.90 |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 0.00 | 40.00 |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | 0.00 | 35.00 |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | 0.00 | 0.00 | 0.00 |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 0.00 | 1.00 |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures | STATE | | | 3.10 |
| | | TOTAL FINE | | 238.00 | 3.10 | 238.00 |

GC 76000 PA ($7 for every $10 breakdown per local board of supervisor resolution (BOS)).

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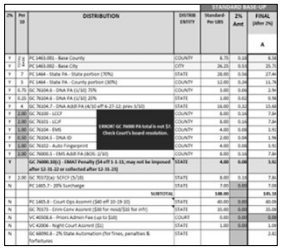
## Add Local Penalties & Court Fees

GC § 76000
Local (BOS) Penalties



EMAT fee

Court/case fees

49

## Case Study 1 - Speeding Bail Forfeiture

| CASE INFORMATION | | | | | |
|---|---|---|---|---|---|
| Case Number | | COUNT 1 | VC 22349(b) | BASE FINE | 35 |
| Violation Date | 9/16/2022 | Violation Description | 1-15 MPH over 55 MPH | Priors | |
| Disposition Date | 11/21/2022 | Violation Type | Traffic Infraction | Enhanced BASE | 35 |
| Arresting Agency | Coronado PD | Disposition | Bail Forfeiture | | |
| County % | 25% | COUNT 2 (if any) | | BASE FINE | 0 |
| City % | 75% | Violation Description | | Priors | |
| TOTAL Enhanced Base | $35.00 | Violation Type | | Enhanced BASE | 0 |
| Portion of 10 | 4 | Disposition | | GC 76000 | $ 7.00 |

| 25% | Per 10 | DISTRIBUTION | DISTRIB ENTITY | STANDARD BASE-UP: Standard Per UBS | 2% Amt | FINAL (After 2%) | COURT DISTRIBUTION: DISTRIB CODE or DESCRIPTION | DISTRIB AMT |
|---|---|---|---|---|---|---|---|---|
| | | | | | | A | | B |
| Y | 0.75 | PC 1463.001 - Base County | COUNTY | 8.75 | 0.18 | 8.58 | | |
| Y | 2.50 | PC 1463.002 - Base City | CITY | 26.25 | 0.53 | 25.73 | | |
| Y | 7 | PC 1464 - State PA - State portion (70%) | STATE | 28.00 | 0.56 | 27.44 | | |
| Y | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 12.00 | 0.24 | 11.76 | | |
| Y | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 3.00 | 0.06 | 2.94 | | |
| Y | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 1.00 | 0.02 | 0.98 | | |
| Y | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10) | STATE | 16.00 | 0.32 | 15.68 | | |
| Y | 2.00 | GC 76100 - LCCF | COUNTY | 8.00 | 0.16 | 7.84 | | |
| Y | 2.00 | GC 76101 - LCJF | COUNTY | 8.00 | 0.16 | 7.84 | | |
| Y | 1.50 | GC 76104 - EMS | COUNTY | 6.00 | 0.12 | 5.88 | | |
| Y | 0.50 | GC 76104.5 - DNA ID | COUNTY | 2.00 | 0.04 | 1.96 | | |
| Y | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 4.00 | 0.08 | 3.92 | | |
| Y | 2.00 | GC 76000.5 - EMS Addl PA (BOS: 2/10) | COUNTY | 8.00 | 0.16 | 7.84 | | |
| Y | | **GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11; may not be imposed after 12-31-22 or collected after 12-31-23)** | STATE | **4.00** | **0.08** | **3.92** | | |
| Y | 5.00 | GC 70372(a): SCFCF (5/10) | STATE | 20.00 | 0.40 | 19.60 | | |
| N | | PC 1465.7 - 20% Surcharge | STATE | 7.00 | 0.00 | 7.00 | | |
| | | **SUBTOTAL** | | **162.00** | | **158.90** | | **0.00** |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 0.00 | 40.00 | | |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | 0.00 | 35.00 | | |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | 0.00 | 0.00 | 0.00 | | |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 0.00 | 1.00 | | |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures | STATE | | | 3.10 | | |
| | | | | | 3.10 | | | |
| | | **TOTAL FINE** | | **238.00** | | **238.00** | **TOTAL** | **0.00** |

GC 76000 PA ($7 for every $0) breakdown per local board of supervisor resolution (BOS).

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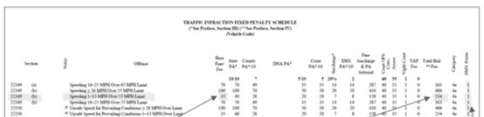
## Case Study #1 Scenario 2: Speeding. 2023 UB&PS



Base fine is unchanged from 2022.

However, total has been reduced by $4 due to the elimination of EMAT.

Moving violations which earn 1 or more DMV "points" qualify as a prior and increase the base fine for subsequent violations.

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# Prior Convictions

The base fine for one Vehicle Code moving violation that is assessed "points" on a current arrest or citation may be enhanced by $10 for each "prior" conviction within 36 months of the new alleged offense. For calculating the enhancement, both the current and "prior" offense must be a moving violation for which a "point" has been assigned per Vehicle Code section 12810 or 12810.2.

A confidential conviction after completion of traffic school is not assigned a point or counted as a prior offense for purposes of enhancing the fine of a subsequent offense. Regardless of the number of moving violation convictions on a citation, only one "prior" per citation shall be counted in determining the enhancement on the current offense.

*Uniform Bail and Penalty Schedule (2023), pg. viii*

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# Priors: Impact to Calculation

**Case Study 1 - Speeding Bail Forfeiture**

| CASE INFORMATION | | | | | |
|---|---|---|---|---|---|
| Case Number | 0 | COUNT 1 | VC 22349(b) | BASE FINE | 35 |
| Violation Date | 1/16/2023 | Violation Description | 1-15 MPH ov | Priors | 1 |
| Disposition Date | 3/24/2023 | Violation Type | Traffic Infraction | Enhanced BASE | 45 |
| Arresting Agency | Coronado PD | Disposition | Bail Forfeiture | | |
| County % | 25% | COUNT 2 (if any) | | BASE FINE | 0 |
| City % | 75% | Violation Description | | Priors | |
| TOTAL Enhanced Base | $45.00 | Violation Type | | Enhanced BASE | 0 |
| Portion of 10 | 5 | Disposition | | GC 76000 | $ 7.00 |

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# Penalties Calculation

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Y | 2.00 | GC 76100 - LCCF | GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS). | COUNTY | 10.00 | 0.20 | 9.80 |
| Y | 2.00 | GC 76101 - LCJF | | COUNTY | 10.00 | 0.20 | 9.80 |
| Y | 1.50 | GC 76104 - EMS | | COUNTY | 7.50 | 0.15 | 7.35 |
| Y | 0.50 | GC 76104.5 - DNA ID | | COUNTY | 2.50 | 0.05 | 2.45 |
| Y | 1.00 | GC 76102 - Auto Fingerprint | | COUNTY | 5.00 | 0.10 | 4.90 |
| Y | 2.00 | GC 76000.5 - EMS Addl PA (BOS: 2/10) | | COUNTY | 10.00 | 0.20 | 9.80 |
| ***Y*** | | ***GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11; may not be imposed after 12-31-22 or collected after 12-31-23)*** | | ***STATE*** | ***0.00*** | ***0.00*** | ***0.00*** |
| Y | 5.00 | GC 70372(a): SCFCF (5/10) | | STATE | 25.00 | 0.50 | 24.50 |
| N | | PC 1465.7 - 20% Surcharge | | STATE | 9.00 | 0.00 | 9.00 |
| | | | **SUBTOTAL** | | **199.00** | | **195.20** |

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## Continuing with Prior Convictions and Moving Violations

| | | | | | | |
|---|---|---|---|---|---|---|
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 0.00 | 40.00 |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | 0.00 | 35.00 |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | 10.00 | 0.00 | 10.00 |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 0.00 | 1.00 |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures | STATE | | | 3.80 |
| | | | | | 3.80 | |
| | | TOTAL FINE | | 285.00 | | 285.00 |

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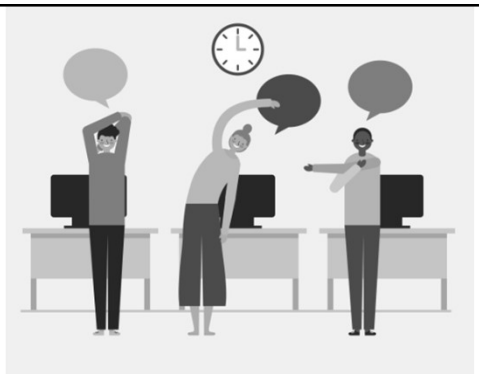
**Case Study 1.2 - Speeding Bail Forfeiture w/ Prior**

| CASE INFORMATION | | | | | |
|---|---|---|---|---|---|
| Case Number | | COUNT 1 | VC 22349(b) | BASE FINE | 35 |
| Violation Date | 3/16/2023 | Violation Description | 1-15 MPH over 55 MPH | Priors | 1 |
| Disposition Date | 3/24/2023 | Violation Type | Traffic Infraction | Enhanced BASE | 45 |
| Arresting Agency | Coronado PD | Disposition | Bail Forfeiture | | |
| County % | 25% | COUNT 2 (if any) | | BASE FINE | 0 |
| City % | 75% | Violation Description | | Priors | |
| TOTAL Enhanced Base | $45.00 | Violation Type | | Enhanced BASE | 0 |
| Portion of 10 | 5 | Disposition | | GC 76000 | $ 7.00 |

| 2%< | Per 10 | DISTRIBUTION | DISTRIB ENTITY | STANDARD BASE-UP: Standard-Per UBS | 2% Amt | FINAL (After 25¢) | COURT DISTRIBUTION: DISTRIB CODE or DESCRIPTION | DISTRIB AMT |
|---|---|---|---|---|---|---|---|---|
| | | | | | | A | | B |
| Y | 70% | PC 1463.001 - Base County | COUNTY | 11.25 | 0.23 | 11.03 | | |
| Y | 30% | PC 1463.002 - Base City | CITY | 33.75 | 0.68 | 33.08 | | |
| Y | 7 | PC 1464 - State PA - State portion (70%) | STATE | 35.00 | 0.70 | 34.30 | | |
| Y | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 15.00 | 0.30 | 14.70 | | |
| Y | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 3.75 | 0.08 | 3.68 | | |
| Y | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 1.25 | 0.03 | 1.23 | | |
| Y | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10) | STATE | 20.00 | 0.40 | 19.60 | | |
| Y | 2.00 | GC 76100 - LCCF | COUNTY | 10.00 | 0.20 | 9.80 | | |
| Y | 2.00 | GC 76101 - LCCF | COUNTY | 10.00 | 0.20 | 9.80 | | |
| Y | 1.50 | GC 76104 - EMS | COUNTY | 7.50 | 0.15 | 7.35 | | |
| Y | 0.50 | GC 76104.5 - DNA ID | COUNTY | 2.50 | 0.05 | 2.45 | | |
| Y | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 5.00 | 0.10 | 4.90 | | |
| Y | 2.00 | GC 76000.5 - EMS Addl PA (BOS: 2/10) | COUNTY | 10.00 | 0.20 | 9.80 | | |
| Y | | *GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11; may not be imposed after 12-31-22 or collected after 12-31-23)* | *STATE* | *0.00* | *0.00* | *0.00* | | |
| Y | 5.00 | GC 70372(a): SCFCF (5/10) | STATE | 25.00 | 0.50 | 24.50 | | |
| N | | PC 1465.7 - 20% Surcharge | STATE | 9.00 | 0.00 | 9.00 | | |
| | | SUBTOTAL | | 199.00 | | 195.20 | | 0.00 |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 0.00 | 40.00 | | |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | 0.00 | 35.00 | | |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | 10.00 | | | | |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 0.00 | 1.00 | | |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures | STATE | | | 3.80 | | |
| | | | | | 3.80 | | | |
| | | TOTAL FINE | | 285.00 | | 285.00 | TOTAL | 0.00 |

GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS).

56



57

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## Spreadsheet Walk-through

58

## Session Recap

59

## Case Study Goals

- Provide information on concepts and terms regarding distributions necessary to complete distribution worksheets.
- Use distribution worksheets to:
  1. Work through actual case studies of basic distributions.
  2. Understand impacts of variations (priors, multiple violations, etc.) to demonstrate how distributions change.

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## Case Study #1: Speeding

- Speeding 1 to 15 MPH over 55 MPH Limit
- VC 22349(b), Infraction
- Prior VC violation added

**WATCH OUT FOR:** NOT correctly applying enhancement for priors and 2% state court automation.

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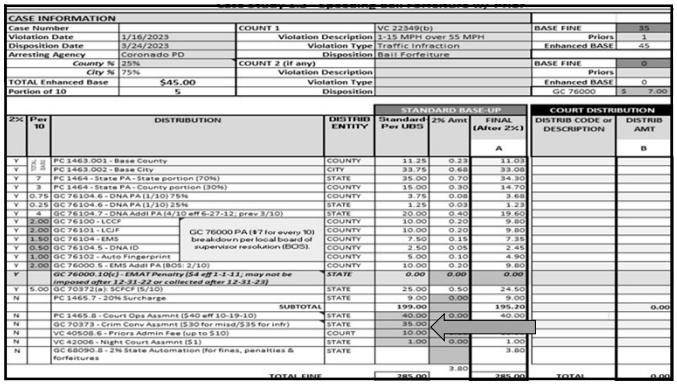

| CASE INFORMATION | | | | | |
|---|---|---|---|---|---|
| Case Number | | COUNT 1 | VC 22349(b) | BASE FINE | 35 |
| Violation Date | 1/16/2023 | Violation Description | 1-15 MPH over 55 MPH | Priors | 1 |
| Disposition Date | 3/24/2023 | Violation Type | Traffic Infraction | Enhanced BASE | 45 |
| Arresting Agency | Coronado PD | Disposition | Bail Forfeiture | | |
| *County %* | 25% | COUNT 2 (if any) | | BASE FINE | 0 |
| *City %* | 75% | Violation Description | | Priors | |
| TOTAL Enhanced Base | $45.00 | Violation Type | | Enhanced BASE | 0 |
| Portion of 10 | 5 | Disposition | | GC 76000 | $ 7.00 |

| 2% | Per 10 | DISTRIBUTION | DISTRIB ENTITY | STANDARD BASE-UP Standard Per UB&PS | 2% Amt | FINAL (After 2%) | COURT DISTRIBUTION DISTRIB CODE or DESCRIPTION | DISTRIB AMT |
|---|---|---|---|---|---|---|---|---|
| | | | | | | A | | B |
| Y | 70% | PC 1463.001 - Base County | COUNTY | 11.25 | 0.23 | 11.03 | | |
| Y | 30% | PC 1463.002 - Base City | CITY | 33.75 | 0.68 | 33.08 | | |
| Y | 7 | PC 1464 - State PA - State portion (70%) | STATE | 35.00 | 0.70 | 34.30 | | |
| Y | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 15.00 | 0.30 | 14.70 | | |
| Y | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 3.75 | 0.08 | 3.68 | | |
| Y | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 1.25 | 0.03 | 1.23 | | |
| Y | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10) | STATE | 20.00 | 0.40 | 19.60 | | |
| Y | 2.00 | GC 76100 - LCCF | COUNTY | 10.00 | 0.20 | 9.80 | | |
| Y | 2.00 | GC 76101 - LCJF | COUNTY | 10.00 | 0.20 | 9.80 | | |
| Y | 1.50 | GC 76104 - EMS | COUNTY | 7.50 | 0.15 | 7.35 | | |
| Y | 0.50 | GC 76104.5 - DNA ID | COUNTY | 2.50 | 0.05 | 2.45 | | |
| Y | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 5.00 | 0.10 | 4.90 | | |
| Y | 2.00 | GC 76000.5 - EMS Addl PA (BOS: 2/10) | COUNTY | 10.00 | 0.20 | 9.80 | | |
| Y | | *GC 76000.10(c) - EMAT Penalty (54 eff 1-1-11; may not be imposed after 12-31-22 or collected after 12-31-23)* | *STATE* | *0.00* | *0.00* | *0.00* | | |
| Y | 5.00 | GC 70372(a): SCFCF (5/10) | STATE | 25.00 | 0.50 | 24.50 | | |
| N | | PC 1465.7 - 20% Surcharge | STATE | 9.00 | 0.00 | 9.00 | | |
| | | SUBTOTAL | | 199.00 | | 195.20 | | 0.00 |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 0.00 | 40.00 | | |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | | | | |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | 10.00 | | | | |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 0.00 | 1.00 | | |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures | STATE | | | 3.80 | | |
| | | | | | 3.80 | | | |
| | | TOTAL FINE | | 285.00 | | 285.00 | TOTAL | 0.00 |

GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS).

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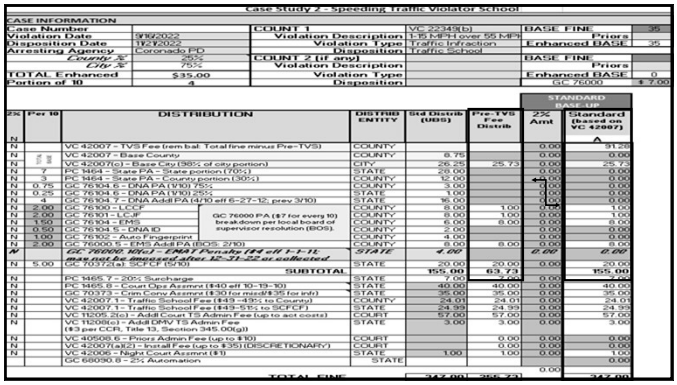
## Case Study #2: Speeding Traffic School

VC § 42007:

- For a person ordered or permitted to attend traffic school, a fee is collected in an amount equal to the "total bail" set forth in the uniform countywide bail schedule or set forth in UB&PS.
- In short, the "total bail" becomes the TVS fee.
- Because it is a fee, the 2% state court automation no longer applies.

**WATCH OUT FOR:**
What is and is not part of the TVS fee.

63



Case Study 2 - Speeding Traffic Violator School

| CASE INFORMATION | | | | | |
|---|---|---|---|---|---|
| Case Number | | COUNT 1 | VC 22349(b) | BASE FINE | 35 |
| Violation Date | 9/12/2022 | Violation Description | 1-15 MPH over 55 MPH | Priors | |
| Disposition Date | 10/3/2022 | Violation Type | Traffic Infraction | Enhanced BASE | 35 |
| Arresting Agency | Coronado PD | Disposition | Traffic School | | |
| County % | 25% | COUNT 2 (if any) | | BASE FINE | |
| City % | 75% | Violation Description | | Priors | |
| TOTAL Enhanced Portion of 10 | $35.00 | Violation Type | | Enhanced BASE | 0 |
| | 4 | Disposition | | GC 76000 → | $ 7.00 |

| 2% | Per 10 | DISTRIBUTION | DISTRIB ENTITY | Std Distrib (UBS) | Pre-TVS Fee Distrib | 2% Amt | STANDARD BASE-UP: Standard (based on VC 42007) |
|---|---|---|---|---|---|---|---|
| N | | | | | | | A |
| N | | VC 42007 - TVS Fee (rem bal. Total fine minus Pre-TVS) | COUNTY | | | 0.00 | 91.25 |
| N | TOTAL BASE | VC 42007 - Base County | COUNTY | 8.75 | | 0.00 | 8.75 |
| N | | VC 42007(c) - Base City (80% of city portion) | CITY | 26.25 | 25.73 | 0.00 | 25.73 |
| N | 7 | PC 1464 - State PA - State portion (70%) | STATE | 20.00 | | 0.00 | 0.00 |
| N | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 12.00 | | 0.00 | 0.00 |
| N | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 3.00 | | 0.00 | 0.00 |
| N | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 1.00 | | 0.00 | 0.00 |
| N | 4 | GC 76104.7 - DNA Add PA (4/10 eff 6-27-12; prev 3/10) | STATE | 16.00 | | 0.00 | 0.00 |
| N | 2.00 | GC 76100 - LCCF | COUNTY | 8.00 | 1.00 | 0.00 | 1.00 |
| N | 2.00 | GC 76101 - LCJF (GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS)) | COUNTY | 8.00 | 1.00 | 0.00 | 1.00 |
| N | 1.50 | GC 76104 - EMS | COUNTY | 6.00 | 6.00 | 0.00 | 8.00 |
| N | 0.50 | GC 76104.5 - DNA ID | COUNTY | 2.00 | | 0.00 | 0.00 |
| N | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 4.00 | | 0.00 | 0.00 |
| N | 2.00 | GC 76000.5 - EMS Add PA (BOS: 2/10) | COUNTY | 8.00 | 8.00 | 0.00 | 8.00 |
| N | | *GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11; may not be imposed after 12-31-22 or collected* | STATE | *4.00* | | *0.00* | *0.00* |
| N | 5.00 | GC 70372(a) SCFCF (5/10) | STATE | 20.00 | 20.00 | 0.00 | 20.00 |
| | | SUBTOTAL | | 155.00 | 63.73 | | 155.00 |
| N | | PC 1465.7 - 20% Surcharge | STATE | 7.00 | 7.00 | 0.00 | 7.00 |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 40.00 | 0.00 | 40.00 |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | 35.00 | 0.00 | 35.00 |
| N | | VC 42007.1 - Traffic School Fee ($49-49% to County) | COUNTY | 24.01 | 24.01 | 0.00 | 24.01 |
| N | | VC 42007.1 - Traffic School Fee ($49-51% to SCFCF) | STATE | 24.99 | 24.99 | 0.00 | 24.99 |
| N | | VC 11205.2(c) - Add'l Court TS Admin Fee | COURT | 57.00 | 57.00 | 0.00 | 57.00 |
| N | | VC 11208(c) - Add'l DMV TS Admin Fee ($3 per CCR, Title 13, Section 345.00(g)) | STATE | 3.00 | 3.00 | 0.00 | 3.00 |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | | 0.00 | 0.00 | 0.00 |
| N | | VC 42007(a)(2) - Install Fee (up to $35) (DISCRETIONARY) | COURT | | 0.00 | 0.00 | 0.00 |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 1.00 | 0.00 | 1.00 |
| | | GC 68090.8 - 2% Automation | STATE | | | | 0.00 |
| | | TOTAL FINE | | 347.00 | 255.73 | 0.00 | 347.00 |

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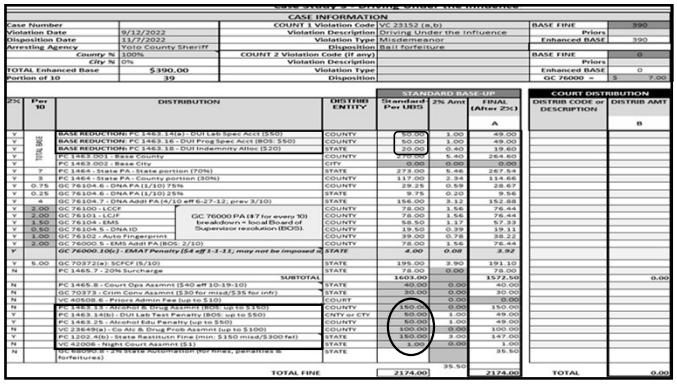
## Case Study #3: DUI

- PC § 1463.14(a) — $50 for Alcohol Lab Costs
- PC § 1463.16 — $50 Alcohol Education
- PC § 1463.18 — DUI Indemnity Allocation of $20

**WATCH OUT FOR:**
Amounts that must be deposited prior to any distributions.

65

65



Case Study 3 - Driving Under the Influence

| CASE INFORMATION | | | | | |
|---|---|---|---|---|---|
| Case Number | | COUNT 1 Violation Code | VC 23152 (a,b) | BASE FINE | 390 |
| Violation Date | 9/12/2022 | Violation Description | Driving Under the Influence | Priors | |
| Disposition Date | 11/7/2022 | Violation Type | Misdemeanor | Enhanced BASE | 390 |
| Arresting Agency | Yolo County Sheriff | Disposition | Bail forfeiture | | |
| County % | 100% | COUNT 2 Violation Code (if any) | | BASE FINE | 0 |
| City % | 0% | Violation Description | | Priors | |
| TOTAL Enhanced Base | $390.00 | Violation Type | | Enhanced BASE | 0 |
| Portion of 10 | 39 | Disposition | | GC 76000 → | $ 7.00 |

| 2% | Per 10 | DISTRIBUTION | DISTRIB ENTITY | STANDARD BASE-UP: Standard Per UBS | 2% Amt | FINAL (After 2%) | COURT DISTRIBUTION: DISTRIB CODE or DESCRIPTION | DISTRIB AMT |
|---|---|---|---|---|---|---|---|---|
| Y | | | | | | A | | B |
| Y | | **BASE REDUCTION:** PC 1463.14(a) - DUI Lab Spec Acct ($50) | COUNTY | 50.00 | 1.00 | 49.00 | | |
| Y | TOTAL BASE | **BASE REDUCTION:** PC 1463.16 - DUI Prog Spec Acct (BOS: $50) | COUNTY | 50.00 | 1.00 | 49.00 | | |
| Y | | **BASE REDUCTION:** PC 1463.18 - DUI Indemnity Alloc ($20) | STATE | 20.00 | 0.40 | 19.60 | | |
| Y | | PC 1463.001 - Base County | COUNTY | 270.00 | 5.40 | 264.60 | | |
| Y | | PC 1463.002 - Base City | CITY | 0.00 | 0.00 | 0.00 | | |
| Y | 7 | PC 1464 - State PA - State portion (70%) | STATE | 273.00 | 5.46 | 267.54 | | |
| Y | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 117.00 | 2.34 | 114.66 | | |
| Y | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 29.25 | 0.59 | 28.67 | | |
| Y | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 9.75 | 0.20 | 9.56 | | |
| Y | 4 | GC 76104.7 - DNA Add PA (4/10 eff 6-27-12; prev 3/10) | STATE | 156.00 | 3.12 | 152.88 | | |
| Y | 2.00 | GC 76100 - LCCF | COUNTY | 78.00 | 1.56 | 76.44 | | |
| Y | 2.00 | GC 76101 - LCJF (GC 76000 PA ($7 for every 10) | COUNTY | 78.00 | 1.56 | 76.44 | | |
| Y | 1.50 | GC 76104 - EMS breakdown = local Board of Supervisor resolution (BOS)) | COUNTY | 58.50 | 1.17 | 57.33 | | |
| Y | 0.50 | GC 76104.5 - DNA ID | COUNTY | 19.50 | 0.39 | 19.11 | | |
| Y | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 39.00 | 0.78 | 38.22 | | |
| Y | 2.00 | GC 76000.5 - EMS Add PA (BOS: 2/10) | COUNTY | 78.00 | 1.56 | 76.44 | | |
| Y | | *GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11; may not be imposed a* | *STATE* | *4.00* | *0.08* | *3.92* | | |
| Y | 5.00 | GC 70372(a): SCFCF ($/10) | STATE | 195.00 | 3.90 | 191.10 | | |
| N | | PC 1465.7 - 20% Surcharge | STATE | 78.00 | 0.00 | 78.00 | | |
| | | SUBTOTAL | | 1603.00 | | 1572.50 | | 0.00 |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 0.00 | 40.00 | | |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 30.00 | 0.00 | 30.00 | | |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | 0.00 | 0.00 | 0.00 | | |
| N | | PC 1463.13 - Alcohol & Drug Assmnt (BOS: up to $150) | COUNTY | 150.00 | 0.00 | 150.00 | | |
| Y | | PC 1463.16(b) - DUI Lab Test Penalty (BOS: up to $50) | CNTY or CTY | 50.00 | 1.00 | 49.00 | | |
| Y | | PC 1463.25 - Alcohol Edu Penalty (up to $50) | COUNTY | 50.00 | 1.00 | 49.00 | | |
| N | | VC 23649(a) - Co Alc & Drug Prob Assmnt (up to $100) | COUNTY | 100.00 | 0.00 | 100.00 | | |
| Y | | PC 1202.4(b) - State Restitutn Fine (min. $150 misd/$300 fel) | STATE | 150.00 | 3.00 | 147.00 | | |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 0.00 | 1.00 | | |
| N | | GC 68090.8 - 2% State Automation (on misc. penalties & forfeitures) | STATE | | | 35.50 | | |
| | | TOTAL FINE | | 2174.00 | 35.50 | 2174.00 | TOTAL | 0.00 |

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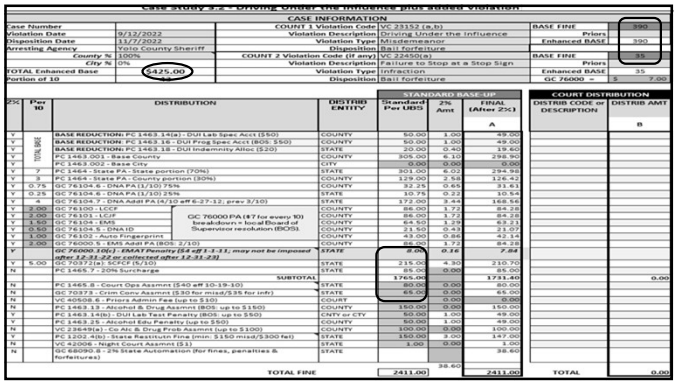
## Case Study #3.2: Multiple Violation Distribution

Penal Code § 1464(b):

- Calculate the "additional penalties" from the total bail or fine for <u>all</u> offenses cited.
- When a fine is suspended, in whole or in part, the additional penalties shall be reduced in proportion to the suspension.
- Impose the EMAT penalty (GC § 76000.10); Court Operations Assessment (PC § 1465.8); and the Criminal Conviction Assessment (GC § 70373) for each offense.

**WATCH OUT FOR:**
Any special distribution requirements and ensure that violations are cited on the same incident (citation)





Case Study 3.2 - Driving Under the Influence plus added Violation

| CASE INFORMATION | | | | | |
|---|---|---|---|---|---|
| Case Number | | COUNT 1 Violation Code | VC 23152 (a,b) | BASE FINE | 390 |
| Violation Date | 9/12/2022 | Violation Description | Driving Under the Influence | Priors | |
| Disposition Date | 11/7/2022 | Violation Type | Misdemeanor | Enhanced BASE | 390 |
| Arresting Agency | Yolo County Sheriff | Disposition | Bail forfeiture | | |
| County % | 100% | COUNT 2 Violation Code (if any) | VC 22450(a) | BASE FINE | 35 |
| City % | 0% | Violation Description | Failure to Stop at a Stop Sign | Priors | |
| TOTAL Enhanced Base | $425.00 | Violation Type | Infraction | Enhanced BASE | 35 |
| Portion of 10 | 4.25 | Disposition | Bail forfeiture | GC 76000 = | $ 7.00 |

| PC | Per 10 | DISTRIBUTION | DISTRIB ENTITY | STANDARD BASE/UP Standard Per UBS | 2% Amt | FINAL (After 2%) | COURT DISTRIBUTION DISTRIB CODE or DESCRIPTION | DISTRIB AMT |
|---|---|---|---|---|---|---|---|---|
| | | | | | | A | | B |
| Y | | **BASE REDUCTION:** PC 1463.14(a) - DUI Lab Spec Acct ($50) | COUNTY | 50.00 | 1.00 | 49.00 | | |
| Y | | **BASE REDUCTION:** PC 1463.16 - DUI Prog Spec Acct ($50; $50) | COUNTY | 50.00 | 1.00 | 49.00 | | |
| Y | | **BASE REDUCTION:** PC 1463.18 - DUI Indemnity Alloc ($20) | STATE | 20.00 | 0.40 | 19.60 | | |
| Y | | PC 1463.001 - Base County | COUNTY | 305.00 | 6.10 | 298.90 | | |
| Y | | PC 1463.002 - Base City | CITY | 0.00 | 0.00 | 0.00 | | |
| Y | 7 | PC 1464 - State PA - State portion (70%) | STATE | 301.00 | 6.02 | 294.98 | | |
| Y | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 129.00 | 2.58 | 126.42 | | |
| Y | 0.75 | GC 76104.6 - DNA PA(1/10) 75% | COUNTY | 32.25 | 0.65 | 31.61 | | |
| Y | 0.25 | GC 76104.6 - DNA PA(1/10) 25% | STATE | 10.75 | 0.22 | 10.54 | | |
| Y | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10) | STATE | 172.00 | 3.44 | 168.56 | | |
| Y | 2.00 | GC 76100 - LCF | COUNTY | 86.00 | 1.72 | 84.28 | | |
| Y | 2.00 | GC 76101 - LCJF | COUNTY | 86.00 | 1.72 | 84.28 | | |
| Y | 1.50 | GC 76104 - EMS | COUNTY | 64.50 | 1.29 | 63.21 | | |
| Y | 0.50 | GC 76104.5 - DNA ID | COUNTY | 21.50 | 0.43 | 21.07 | | |
| Y | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 43.00 | 0.86 | 42.14 | | |
| Y | 2.00 | GC 76000.5 - EMS Addl PA (8/05: 2/10) | COUNTY | 86.00 | 1.72 | 84.28 | | |
| Y | | ***GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11; may not be imposed after 12-31-22 or collected after 12-31-23)*** | STATE | 4.00 | 0.16 | 7.84 | | |
| Y | 5.00 | PC 1465.8 - Court Ops Assmt ($40 eff 10-19-10) | STATE | 215.00 | 4.30 | 210.70 | | |
| N | | PC 1465.7 - 20% Surcharge | STATE | 85.00 | 0.00 | 85.00 | | |
| | | | SUBTOTAL | 1765.00 | | 1731.40 | | 0.00 |
| N | | PC 1465.8 - Court Ops Assmt ($40 eff 10-19-10) | STATE | 80.00 | 0.00 | 80.00 | | |
| N | | GC 70373 - Crim Conv Assmt ($30 for misd/$35 for infr) | STATE | 65.0 | 0.00 | 65.00 | | |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | | 0.00 | 0.00 | | |
| N | | PC 1463.13 - Alcohol & Drug Assmnt (8/05: up to $150) | COUNTY | 150.00 | 0.00 | 150.00 | | |
| Y | | PC 1463.14(b) - DUI Lab Test Penalty (8/05: up to $50) | CNTY or CTY | 50.00 | 1.00 | 49.00 | | |
| Y | | PC 1463.25 - Alcohol Edu Penalty (up to $50) | COUNTY | 50.00 | 1.00 | 49.00 | | |
| N | | VC 23649(a) - Co Alc & Drug Prob Assmnt (up to $100) | COUNTY | 100.00 | 0.00 | 100.00 | | |
| Y | | PC 1202.4(b) - State Restitutn Fine (min: $150 misd/$300 fel) | STATE | 150.00 | 3.00 | 147.00 | | |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 0.00 | 1.00 | | |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures) | STATE | | | 38.60 | | |
| | | TOTAL FINE | | 2411.00 | 38.60 | 2411.00 | TOTAL | 0.00 |

GC 76000 PA ($7 for every $10 breakdown + local Board of Supervisor resolution (BOS)).



## Poll # 3

On a multiple violation distribution which is <u>not</u> assessed by offense?

a. Night court
b. Criminal Conviction Assessment
c. EMAT
d. Court Operations Assessment

## Case Study #4: Red Light Bail Forfeiture

Per PC § 1463.11:

- 30% of the base fine, PC § 1464, GC § 76000, and GC § 70372 shall be allocated to the general fund of the city or county in which the offense occurred.
- After 30% allocation, the balance (70%) shall be distributed pursuant to their respective statutes.

**WATCH OUT FOR:**

What is and is not part of the first 30% of the bail forfeiture.

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**Case Study 4 - Red Light Bail Forfeiture**

| CASE INFORMATION | | | | | | | |
|---|---|---|---|---|---|---|---|
| Case Number | | COUNT 1 | | VC 21453(a) | BASE FINE | 100 |
| Violation Date | 2/10/2023 | Violation Description | | Red Light Violation | Priors | |
| Disposition Date | 3/27/2023 | Violation Type | | Traffic Infraction | Enhanced BASE | 100 |
| Arresting Agency | Davis PD | Disposition | | Bail Forfeiture | | |
| County % | 22% | COUNT 2 (if any) | | | BASE FINE | 0 |
| City % | 78% | Violation Description | | | Priors | |
| TOTAL Enhanced Base | $100.00 | Violation Type | | | Enhanced BASE | 0 |
| Portion of 10 | 10 | Disposition | | | GC 76000 | $ 7.00 |

| 25% | Per 10 | DISTRIBUTION | DISTRIB ENTITY | Standard Per UBS | 30% Red Light PC 1463.11 | STANDARD BASE-UP Standard | 2% Amt | FINAL (After 25%) | COURT DISTRIBUTION DISTRIB CODE or DESCRIPTION | DISTRIB AMT |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | A | | B |
| Y | | PC 1463.11 - 30% Red Light Allocation | CITY | | | 96.00 | 1.92 | 94.08 | | |
| Y | 1.65 | PC 1463.001 - Base County | COUNTY | 22.00 | 6.60 | 15.40 | 0.31 | 15.09 | | |
| Y | 5.46 | PC 1463.002 - Base City | CITY | 78.00 | 23.40 | 54.60 | 1.09 | 53.51 | | |
| Y | 7 | PC 1464 - State PA - State portion (70%) | STATE | 70.00 | 21.00 | 49.00 | 0.98 | 48.03 | | |
| Y | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 30.00 | 9.00 | 21.00 | 0.42 | 20.58 | | |
| Y | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 7.50 | | 7.50 | 0.15 | 7.35 | | |
| Y | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 2.50 | | 2.50 | 0.05 | 2.45 | | |
| Y | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10) | STATE | 40.00 | | 40.00 | 0.80 | 39.20 | | |
| Y | 2.00 | GC 76100 - LCCF | COUNTY | 20.00 | 6.00 | 14.00 | 0.28 | 13.72 | | |
| Y | 2.00 | GC 76101 - LCJF | COUNTY | 20.00 | 6.00 | 14.00 | 0.28 | 13.72 | | |
| Y | 1.50 | GC 76104 - EMS | COUNTY | 15.00 | 4.50 | 10.50 | 0.21 | 10.29 | | |
| Y | 0.50 | GC 76104.5 - DNA ID | COUNTY | 5.00 | 1.50 | 3.50 | 0.07 | 3.43 | | |
| Y | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 10.00 | 3.00 | 7.00 | 0.14 | 6.86 | | |
| Y | 2.00 | GC 76000.5 - EMS Addl PA (80%: 2/10) | COUNTY | 20.00 | | 20.00 | 0.40 | 19.60 | | |
| Y | | ***GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11; may not be imposed after 12-31-22 or collected after 12-31-23)*** | ***STATE*** | ***0.00*** | ***0.00*** | ***0.00*** | ***0.00*** | ***0.00*** | | |
| Y | 5.00 | GC 70372(a); SCFCF ($/10) | STATE | 50.00 | 15.00 | 35.00 | 0.70 | 34.30 | | |
| N | | PC 1465.7 - 20% Surcharge | STATE | 20.00 | | 20.00 | 0.00 | 20.00 | | |
| | | SUBTOTAL | | 410.00 | | 410.00 | | 402.20 | | 0.00 |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | | 40.00 | 0.00 | 40.00 | | |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | | 35.00 | 0.00 | 35.00 | | |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | 0.00 | | 0.00 | 0.00 | 0.00 | | |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | | 1.00 | 0.00 | 1.00 | | |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures | STATE | | | | | 7.80 | | |
| | | TOTAL FINE | | 486.00 | 96.00 | 486.00 | 7.80 | 486.00 | TOTAL | 0.00 |

GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS).

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## Case Study #4
## Scenario 2: Traffic School disposition

*Change the bail forfeiture to traffic school*

VC § 42007.3(a)(1):

- 30% of the TVS Fee collected is allocated to the county or city general fund where the offense occurred.
- After the 30% allocation, the remainder of the TVS Fee is distributed pursuant to VC § 42007.

**WATCH OUT FOR:**

What is and is not part of the TVS fee.

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**Case Study 4.2 - Red Light Traffic School**

| CASE INFORMATION | | | | | | | |
|---|---|---|---|---|---|---|---|
| Case Number | | COUNT 1 | VC 21453(a) | | BASE FINE | | 100 |
| Violation Date | 2/10/2023 | Violation Description | Red Light Violation | | | Priors | 0 |
| Disposition Date | 3/27/2023 | Violation Type | Traffic Infraction | | | Enhanced BASE | 100 |
| Arresting Agency | Davis PD | Disposition | Traffic School | | | | |
| County % | 22% | COUNT 2 (if any) | | | BASE FINE | | 0 |
| City % | 78% | Violation Description | | | | Priors | |
| TOTAL Enhanced Base | $100.00 | Violation Type | | | | Enhanced BASE | 0 |
| Portion of 10 | 10 | Disposition | | | GC 76000 | | $ 7.00 |

| 2% | Per 10 | DISTRIBUTION | DISTRIB ENTITY | Stnd. Distrib (UBS) | 30% Red Light VC | Pre-TVS Fee Distrib | 2% Amt | STANDARD BASE-UP Standard (based on VC 42007) |
|---|---|---|---|---|---|---|---|---|
| N | | | | | | | | A |
| N | | VC 42007 - TVS Fee (rem bal; Total fine minus Pre-TVS) | COUNTY | | | | 0.00 | 133.49 |
| N | | VC 42007 3 - 30% Red Light Allocation | CITY | | | 111.00 | 0.00 | 111.00 |
| N | | VC 42007 - Base County | COUNTY | 22.00 | 6.60 | | 0.00 | 6.60 |
| N | 53.51 | VC 42007 - Base City (88% of city portion) | COUNTY | 74.00 | 23.40 | 53.51 | 0.00 | 23.40 |
| N | 7 | PC 1464 - State PA (70% of portion) | STATE | 70.00 | 21.00 | | 0.00 | 21.00 |
| N | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 30.00 | 9.00 | | 0.00 | 9.00 |
| N | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 7.50 | 2.25 | | 0.00 | 0.00 |
| N | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 2.50 | 0.75 | | 0.00 | 0.00 |
| N | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10) | STATE | 40.00 | 12.00 | | 0.00 | 0.00 |
| N | 2.00 | GC 76100 - LCCF | COUNTY | 20.00 | 6.00 | 1.00 | 0.00 | 1.00 |
| N | 2.00 | GC 76101 - LCJF | COUNTY | 20.00 | 6.00 | 1.00 | 0.00 | 1.00 |
| N | 1.50 | GC 76104 - EMS | COUNTY | 15.00 | 4.50 | 20.00 | 0.00 | 20.00 |
| N | 0.50 | GC 76104.5 - DNA ID | COUNTY | 5.00 | 1.50 | | 0.00 | 0.00 |
| N | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 10.00 | 3.00 | | 0.00 | 0.00 |
| N | 0.00 | GC 76000.5 - EMS Addl PA (80% 2/10) | COUNTY | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| *N* | | *GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11, may not be imposed after 12-31-22 or collected after 12-31-23)* | *STATE* | *0.00* | *0.00* | | | *0.00* |
| N | 5.00 | GC 70372(e): SCFCF (5/10) | STATE | 50.00 | 15.00 | 50.00 | 0.00 | 50.00 |
| | | SUBTOTAL | | 370.00 | | 236.51 | | 370.00 |
| N | | FC 1465.7 - 20% Surcharge | STATE | 20.00 | | 20.00 | 0.00 | 20.00 |
| N | | FC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | | 40.00 | | 40.00 |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | | 35.00 | 0.00 | 35.00 |
| N | | VC 42007.1 - Traffic School Fee ($49 -49% to County) | COUNTY | 24.01 | | 24.01 | 0.00 | 24.01 |
| N | | VC 42007.1 - Traffic School Fee ($49-51% to SCFCF) | STATE | 24.99 | | 24.99 | 0.00 | 24.99 |
| N | | VC 11205.2(c) - Addl Court TS Admin Fee (up to act costs) | COURT | 57.00 | | 57.00 | 0.00 | 57.00 |
| N | | VC 11208(c) - Addl DMV TS Admin Fee ($3 per CCR, Title 13, Section 345.00(g)) | STATE | 3.00 | | 3.00 | 0.00 | 3.00 |
| N | | VC 40508.6 - Priors Admin Fee (up to $10) | COURT | | | 0.00 | 0.00 | 0.00 |
| N | | VC 42007(a)(2) - Install Fee (up to $35) (DISCRETIONARY) | COURT | | | 0.00 | 0.00 | 0.00 |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | | 1.00 | 0.00 | 1.00 |
| | | GC 68090.8 - 3% Automation | STATE | | | | | 0.00 |
| | | | | | 111.00 | | 0.00 | |
| | | TOTAL FINE | | 575.00 | | 441.51 | | 575.00 |

GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS).

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## Case Study #5 – Health & Safety Code Violation

- H&S § 11359(b); possession with intent to sell cannabis
- The UB&PS does not have H&S violations listed. Search local bail schedules for fine amount.

**WATCH OUT FOR: What distribution rules apply to Health & Safety Code violations:**

- 2% State Court Automation transfer is made from each base fine enhancement.
- $4 EMAT penalty is not assessed, as the EMAT is only applicable to Vehicle Code violations

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**Case Study 5 - Health & Safety Violation**

| CASE INFORMATION | | | | | | | |
|---|---|---|---|---|---|---|---|
| Case Number | | COUNT 1 | | | BASE FINE | | 500 |
| Violation Date | 5/17/2022 | Violation Description | H&S 11359(b) | | | Priors | |
| Disposition Date | 11/9/2022 | Violation Type | Misdemeanor | | | Enhanced BASE | 500 |
| Arresting Agency | Palomar CCD PD | Disposition | Possession w/ intent to sell | | | | |
| County Arrest? | No | COUNT 2 (if any) | | | BASE FINE | | 0 |
| City Arrest? | Yes | Violation Description | | | | Priors | |
| TOTAL Enhanced Base | $700.00 | Violation Type | | | | Enhanced BASE | 0 |
| Portion of 10 | 70 | Disposition | | | GC 76000 | | $ 7.00 |

| 2% | Per 10 | DISTRIBUTION | DISTRIB ENTITY | STANDARD BASE-UP Standard Per UBS | 2% Amt | FINAL (After 2%) | COURT DISTRIBUTION DISTRIB CODE or DESCRIPTION | DISTRIB AMT |
|---|---|---|---|---|---|---|---|---|
| | | | | | | A | | B |
| Y | 100 | **BASE ENHANCE:** HS 11372.5 - Crim Lab Fee ($50) | ST or CNTY | 50.00 | 1.00 | 49.00 | | |
| Y | | **BASE ENHANCE:** HS 11372.7 - Drug Prg Fee (up to $150) | COUNTY | 150.00 | 3.00 | 147.00 | | |
| Y | TOTAL BASE | HS 11502 - Base State (75%) | STATE | 375.00 | 7.50 | 367.50 | | |
| Y | | HS 11502 - Base County or City (25%) | CITY | 125.00 | 2.50 | 122.50 | | |
| Y | 7 | PC 1464 - State PA - State portion (70%) | STATE | 490.00 | 9.80 | 480.20 | | |
| Y | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 210.00 | 4.20 | 205.80 | | |
| Y | 0.75 | GC 76104.6 - DNA PA (1/10) 75% | COUNTY | 52.50 | 1.05 | 51.45 | | |
| Y | 0.25 | GC 76104.6 - DNA PA (1/10) 25% | STATE | 17.50 | 0.35 | 17.15 | | |
| Y | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10) | STATE | 280.00 | 5.60 | 274.40 | | |
| Y | 2.00 | GC 76100 - LCCF | COUNTY | 140.00 | 2.80 | 137.20 | | |
| Y | 2.00 | GC 76101 - LCJF | COUNTY | 140.00 | 2.80 | 137.20 | | |
| Y | 1.50 | GC 76104 - EMS | COUNTY | 105.00 | 2.10 | 102.90 | | |
| Y | 0.50 | GC 76104.5 - DNA ID | COUNTY | 35.00 | 0.70 | 34.30 | | |
| Y | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 70.00 | 1.40 | 68.60 | | |
| Y | 2.00 | GC 76000.5 - EMS Addl PA (80% 2/10) | COUNTY | 140.00 | 2.80 | 137.20 | | |
| Y | 5.00 | GC 70372(e): SCFCF (5/10) | STATE | 350.00 | 7.00 | 343.00 | | |
| N | | PC 1465.7 - 20% Surcharge | STATE | 140.00 | 0.00 | 140.00 | | |
| | | SUBTOTAL | | 2870.00 | | 2815.40 | | 0.00 |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 0.00 | 40.00 | | |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 30.00 | 0.00 | 30.00 | | |
| Y | | PC 1202.4(b) - State Restitution Fine (min. $150 misd/$300 fel) | STATE | 150.00 | 3.00 | 147.00 | | |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures | STATE | | | 57.60 | | |
| | | | | | 57.60 | | | |
| | | TOTAL FINE | | 3090.00 | | 3090.00 | TOTAL | 0.00 |

GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS).

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## Top-Down Distributions

- These are two widely-accepted methods for performing a Top-Down distribution.
- Either method is generally acceptable but must be consistently applied to <u>all</u> cases.
- Method 2 <u>must</u> be used when applied to cases receiving an Ability to Pay determination in counties using the online tool.

**WATCH OUT FOR:**

The differences in "fixed-dollar" amounts between the two methods

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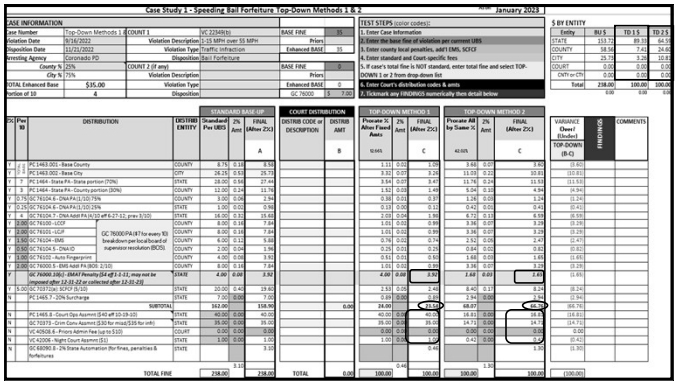

Case Study 1 - Speeding Bail Forfeiture Top-Down Methods 1 & 2 — January 2023

CASE INFORMATION

| | | | | | |
|---|---|---|---|---|---|
| Case Number | Top-Down Methods 1 & | COUNT 1 | VC 22349(b) | BASE FINE | 35 |
| Violation Date | 9/16/2022 | Violation Description | 1-15 MPH over 55 MPH | Priors | |
| Disposition Date | 11/21/2022 | Violation Type | Traffic Infraction | Enhanced BASE | 35 |
| Arresting Agency | Coronado PD | Disposition | Bail Forfeiture | | |
| County % | 25% | COUNT 2 (if any) | | BASE FINE | 0 |
| City % | 75% | Violation Description | | Priors | |
| TOTAL Enhanced Base | $35.00 | Violation Type | | Enhanced BASE | 0 |
| Portion of 10 | 4 | Disposition | | GC 76000 | $ 7.00 |

TEST STEPS (color codes):
1. Enter Case Information
2. Enter the base fine of violation per current UBS
3. Enter county local penalties, add'l EMS, SCFCF
4. Enter standard and Court-specific fees
5. If case's total fine is NOT standard, enter total fine and select TOP-DOWN 1 or 2 from drop-down list
6. Enter Court's distribution codes & amts
7. Tickmark any FINDINGS numerically then detail below

$ BY ENTITY

| Entity | BU $ | TD 1 $ | TD 2 $ |
|---|---|---|---|
| STATE | 153.72 | 89.33 | 84.59 |
| COUNTY | 58.56 | 7.41 | 24.66 |
| CITY | 25.76 | 3.26 | 10.83 |
| COURT | 0.00 | 0.00 | 0.00 |
| CNTY or CTY | 0.00 | 0.00 | 0.00 |
| Total | 238.00 | 100.00 | 100.00 |
| | | 0.00 | 0.00 |

| PSC | Pen 10 | DISTRIBUTION | DISTRIB ENTITY | STANDARD BASE UP: Standard Pen UBS | 2% Amt | FINAL (Allow ZSC) A | COURT DISTRIBUTION: DISTRIB CODE or DESCRIPTION | DISTRIB AMT B | TOP-DOWN METHOD 1: Prorate % Allow Fixed Amts 52.66% | 2% Amt | FINAL (Allow ZSC) C | TOP-DOWN METHOD 2: Prorate All by Same % 42.02% | 2% Amt | FINAL (Allow ZSC) C | VARIANCE Over/ (Under) TOP-DOWN (B-C) | FINDINGS | COMMENTS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| F | | PC 1463.001 - Base County | COUNTY | 8.75 | 0.18 | 8.93 | | | 1.11 | 0.02 | 1.09 | 3.66 | 0.07 | 3.86 | (3.82) | | |
| F | | PC 1463.002 - Base City | CITY | 26.25 | 0.53 | 25.73 | | | 3.32 | 0.07 | 3.26 | 11.03 | 0.22 | 10.81 | (10.81) | | |
| F | 7 | PC 1464 - State PA - State portion (70%) | STATE | 28.00 | 0.56 | 27.44 | | | 3.54 | 0.07 | 3.47 | 11.76 | 0.24 | 11.53 | (11.53) | | |
| F | 3 | PC 1464 - State PA - County portion (30%) | COUNTY | 12.00 | 0.24 | 11.76 | | | 1.52 | 0.03 | 1.49 | 5.04 | 0.10 | 4.94 | (4.94) | | |
| F | 0.75 | GC 76104.4 - DNA PA (1/2) 75% | COUNTY | 3.00 | 0.06 | 2.94 | | | 0.38 | 0.01 | 0.37 | 1.26 | 0.03 | 1.24 | (1.24) | | |
| F | 0.25 | GC 76104.6 - DNA PA (1/2) 25% | STATE | 1.00 | 0.01 | 0.98 | | | 0.13 | 0.00 | 0.12 | 0.42 | 0.01 | 0.43 | (0.43) | | |
| F | 4 | GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12, prev 3/10) | STATE | 16.00 | 0.32 | 15.68 | | | 2.03 | 0.04 | 1.99 | 6.72 | 0.13 | 6.59 | (6.59) | | |
| F | 2.00 | GC 76100 - LCCF | COUNTY | 8.00 | 0.16 | 7.84 | | | 1.01 | 0.02 | 0.99 | 3.36 | 0.07 | 3.29 | (3.29) | | |
| F | 2.00 | GC 76101 - LCIF | COUNTY | 8.00 | 0.16 | 7.84 | GC 76000 PA ($7 for every $5) breakdown per local board of supervisor resolution (BOS) | | 1.01 | 0.02 | 0.99 | 3.36 | 0.07 | 3.29 | (3.29) | | |
| F | 1.50 | GC 76104 - EMS | COUNTY | 6.00 | 0.12 | 5.88 | | | 0.76 | 0.02 | 0.74 | 2.52 | 0.05 | 2.47 | (2.47) | | |
| F | 0.50 | GC 76104.5 - DNA ID | COUNTY | 2.00 | 0.04 | 1.96 | | | 0.25 | 0.01 | 0.25 | 0.84 | 0.02 | 0.82 | (0.82) | | |
| F | 1.00 | GC 76102 - Auto Fingerprint | COUNTY | 4.00 | 0.08 | 3.92 | | | 0.51 | 0.01 | 0.50 | 1.68 | 0.03 | 1.65 | (1.65) | | |
| F | 2.00 | GC 76000.5 - EMS Addl PA (BOS: 2/10) | COUNTY | 8.00 | 0.16 | 7.84 | | | 1.01 | 0.02 | 1.00 | 3.36 | 0.07 | 3.29 | (3.29) | | |
| F | | *GC 76000.10(c) - DMAT Penalty ($4 eff 1-1-11, may not be imposed after 12-31-22 or collected after 12-31-23)* | STATE | *4.00* | *0.08* | *3.92* | | | *4.00* | *0.08* | *3.92* | *1.68* | *0.03* | *1.65* | (1.65) | | |
| T | 5.00 | GC 70372(a) - SCFCF ($/10) | STATE | 20.00 | 0.40 | 19.60 | | | 2.53 | 0.05 | 2.48 | 8.40 | 0.17 | 8.24 | (8.24) | | |
| N | | PC 1465.7 - 20% Surcharge | STATE | 7.00 | 0.00 | 7.00 | | | 0.89 | 0.00 | 0.89 | 2.94 | 0.00 | 2.94 | (2.94) | | |
| | | SUBTOTAL | | 162.00 | | 158.90 | | 0.00 | 24.00 | | 23.50 | 68.07 | | 66.72 | (66.78) | | |
| N | | PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10) | STATE | 40.00 | 0.00 | 40.00 | | | 40.00 | 0.00 | 40.00 | 16.81 | 0.00 | 16.81 | (16.81) | | |
| N | | GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr) | STATE | 35.00 | 0.00 | 35.00 | | | 35.00 | 0.00 | 35.00 | 14.71 | 0.00 | 14.71 | (14.71) | | |
| N | | VC 42008.6 - Priors Admin Fee (up to $10) | COURT | 0.00 | 0.00 | 0.00 | | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | |
| N | | VC 42006 - Night Court Assmnt ($1) | STATE | 1.00 | 0.00 | 1.00 | | | 1.00 | 0.00 | 1.00 | 0.42 | 0.00 | 0.42 | (0.42) | | |
| N | | GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures | STATE | | | 3.10 | | | | | 0.46 | | | 1.30 | (1.30) | | |
| | | | | | | 3.10 | | | | | | | | | | | |
| | | TOTAL FINE | | 258.00 | | 258.00 | TOTAL | 0.00 | 100.00 | | 100.00 | 100.00 | | 100.00 | (100.00) | | |

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## Poll # 4

If judge orders a fine, then orders a portion suspended, the reduced amount must be prorated across all components.

- ❑ **True**
- ❑ **False**

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## Training Evaluation

- Please complete the SurveyMonkey evaluation (link below) after attending or viewing the training session.
- Your feedback is very important to us — it guides us in planning future training sessions that meet your needs.
- Thank you!

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## Questions and Resources

**Judicial Council Funds and Revenues Unit**

Public mailbox: revenuedistribution@jud.ca.gov

**State Controller's Office**

Public mailbox: LocalGovPolicy@sco.ca.gov

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## Thank You!

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